

ENTERED

March 27, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MICHAEL RAY WEST,

Plaintiff,

VS.

SHARON RUIZ, *et al*,

Defendants.

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CIVIL NO. 2:18-CV-170

ORDER

The Court is in receipt of the Magistrate Judge's Memorandum and Recommendation to Grant Defendants' Motion for Summary Judgment and to Deny Plaintiff's Motion for an Injunction ("M&R"), Dkt. No. 64. The Court is also in receipt of Plaintiff Michael Ray West's ("West") Objections, Dkt. Nos. 67, 69.

The Court reviews objected-to portions of a Magistrate Judge's proposed findings and recommendations de novo. 28 U.S.C. § 636(b)(1). But if the objections are frivolous, conclusive or general in nature the court need not conduct a de novo review. *Battle v. United States Parole Comm'n*, 834 F.2d 419 (5th Cir. 1987). After review, the Court concludes West's objections are frivolous and conclusive and adequately addressed by the M&R. Dkt. No. 64. After independently reviewing the filings, the record, and applicable law, the Court **ADOPTS** the M&R in its entirety, Dkt. No. 64, and **OVERRULES** West's Objections, Dkt. Nos. 67, 69. The Court hereby **GRANTS** Defendants' Motion for Summary Judgment, Dkt. No. 48, and **DISMISSES** West's deliberate indifference claims for failure to exhaust with prejudice. The Court **DENIES** West's motion for an injunction, Dkt. No. 60. Final judgment will enter separately.

SIGNED this 27th day of March, 2020.



Hilda Tagle
Senior United States District Judge